

ARTICLE 1160

Wild and Exotic Animals

- 1160.01 Definitions.
- 1160.02 Keeping of certain animals prohibited.
- 1160.03 Permitting wild or exotic animals owned at the time of passage of this article.
- 1160.99 Penalty.

CROSS REFERENCES

1160.01 DEFINITIONS

1. Animal means all non-human vertebrate and invertebrate species, whether wild or domestic, commonly considered to be part of the animal kingdom.

2. City Official means that person or persons designated by the Mayor to enforce the provisions of this Article. Included in this definition are the Animal Control Officers, all other police officers who shall have the same power to act as the Animal Control Officer, and representatives of the Health Bureau.

3. Owner means and includes every person, firm or corporation having a right of property in any animal which is kept harbored, or cared for within the City of Bethlehem for a period of three (3) or more days as well as every person, firm or corporation occupying any premises within the City which permits any animal to remain on or about its premises for a period of three (3) or more days.

4. Wild or Exotic Animal shall mean any animal of a species prohibited by Title 50, Code of Federal Regulations, or otherwise controlled by the Commonwealth of Pennsylvania. It shall include any animal which is wild, fierce, dangerous, noxious, or naturally inclined to do harm.

Wild animals, however domesticated, shall also include but not be limited to:

Amphibians: All venomous Frogs, Toads, Turtles, etc.;

Bear (Ursidae): All bears, including grizzly bears, brown bears, black bears, etc.;

Cat Family (Felidae): All except commonly accepted domestic cats--including lions, pumas, panthers, mountain lions, leopards, jaguars, ocelots, margays, tigers, wild cats, etc.;

Crocodylians: All alligators, caimans, crocodiles, gavials, etc.;

Dog Family (Canidae): All except domesticated dogs--including wolf, fox, coyote, dingo or domesticated dogs bred with a wolf, fox, coyote, dingo, etc.;

Pig: All wild or domestic swine, etc., including Vietnamese potbellied pigs and similar animals;

Porcupine (Erethizontidae): All porcupines, skunks, etc.;

Primates (Hominidae): All sub-human primate, etc.;

Raccoons (Procyonidae): All raccoons and civets, etc.;

Reptiles: All venomous and constricting snakes; venomous lizards, etc.;

Venomous Invertebrates: All venomous spiders, scorpions, etc.;

Weasels (Mustelidae): All including weasels, martens, mink, wolverine, ferrets, badgers, otters, ermine, mongoose, etc.

#### 1160.02 KEEPING OF CERTAIN ANIMALS PROHIBITED

##### A. Wild or Exotic Animals Prohibited

No person shall keep a wild or exotic animal in any place other than a zoological park, veterinary hospital or clinic, humane society, or circus, sideshow, amusement show or facility used for educational or scientific purposes, which provides proper cages, fences and other protective devices adequate to prevent such animal from escaping or injuring the public, or causing a health hazard due to fecal matter, or otherwise.

##### B. Sale, Exchange, Adoption, Exchange or Transfer of Wild or Exotic Animals Prohibited

No person shall sell, offer for sale, adoption, exchange or transfer, with or without charge any wild or exotic animal. This section is not intended to apply to person owning or possessing wild or exotic animals prior to the passage of this Article provided that the person or persons taking possession of such wild or exotic animal following said sale, adoption, exchange

or transfer is/are not a resident of the City of Bethlehem.

C. Disposition and Impoundment

Any person who keeps a wild or exotic animal in contravention of this Article must dispose of the animal by removal of the animal from the City or by giving the animal to the City Official. The City Official is authorized to release the animal to the wild, to a zoological park, or to dispose of the animal in some humane manner. Cost of removal and/or placement at a park or other facility to be accepted by the owner.

1160.03 Permitting Wild or Exotic Animals Owned at the Time of Passage of this Article

Any person owning or possessing a wild or exotic animal at the time of enactment of this Article may, pending the approval of the City Official, obtain a permit for said wild or exotic animal provided that:

1. A permit application is filed with the Health Bureau within forty-five (45) days of the effective date of this Article. Such application is to include:

a. Species, age and sex of said wild or exotic animal.

b. A plan for the housing and containment of said wild or exotic animal.

2. The plan and facilities for the housing and containment of said wild or exotic animal must be reviewed, inspected and approved by the City Official as adequate to prevent such animal from escaping or injuring the public. (Any changes to containment plans or facilities already permitted must be submitted to and approved by the City Official before such changes may be implemented.)

3. An annual permit fee of Ten Dollars (\$10.00) per wild or exotic animal shall be paid by the owner or possessor of such animal to the Treasurer of the City of Bethlehem. Copy of permit to be filed with the Police Department.

4. Upon the death, sale, adoption, exchange, transfer or disposal of said wild or exotic animal, the animal may not be replaced.

5. If wild or exotic animal is taken to any public place, the permit for such animal must be carried by the owner/possessor.

## 1160.99 PENALTIES

Any person who violates any provision of this Article shall be subject to the following penalties:

(1) First Violation - a fine of \$50.00 or thirty days imprisonment, or both;

(2) Second Violation - A fine of \$100.00, or sixty days imprisonment, or both;

(3) Third Violation - A fine of \$250.00, or ninety days imprisonment, or both;

(4) Fourth and Each Subsequent Violation - A fine of \$500, or ninety days imprisonment, or both.

Each day's violation shall constitute a separate offense.

(Ord. 3822. Passed 6/3/97.)